

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

**MICHAEL BAZZREA, SABRINA §
WILDER, COURTNEY CHEATUM, §
TIMOTHY JORDEN, CALEB §
WADSWORTH, §**

for themselves and all others
similarly situated,

Plaintiffs

V.

Civil Action No. _____

**ALEJANDRO MAYORKAS, in his
official capacity as Secretary of
the U.S. DEPARTMENT OF
HOMELAND SECURITY,**

**LINDA L. FAGAN, in her official
capacity as Commandant of the
UNITED STATES COAST
GUARD,**

**LLOYD AUSTIN, in his official
capacity as Secretary of the U.S.
DEPARTMENT OF DEFENSE,**

**JANET WOODCOCK, in her
official capacity as Acting
Commissioner of the U.S. FOOD
AND DRUG ADMINISTRATION**

Defendants.

[illegible]

**CLASS ACTION
COMPLAINT FOR
DECLARATORY AND
INJUNCTIVE RELIEF

JURY TRIAL DEMAND**

Declaration of SCPO Michael Janson Bazzrea, USCGR

I, Michael Janson Bazzrea, do hereby declare as follows:

1. I am over the age of 18 years, have personal knowledge of the matters set forth in this Declaration, and if called upon to testify to them, I would and could do so competently.
2. I am currently domiciled in ARDMORE, CARTER COUNTY, OKLAHOMA.
3. I am a SENIOR CHIEF MARITIME ENFORCEMENT SPECIALIST (SENIOR CHIEF PETTY OFFICER) in the United States Coast Guard Reserve (USCGR) currently serving at USCG Station Galveston USCG Base Galveston Texas.
4. I enlisted in the U.S. Coast Guard in NOV 1994, graduated from Basic Training in FEB 1995 I was stationed aboard the USCG Cutter Kodiak Island in Panama City FL where I was a key part of her surviving being severely damaged in Hurricane Opal.
5. I went to Machinery Technician "A" school in Yorktown VA before being stationed aboard the USCG Cutter Attu in San Juan PR where I stayed for a little over 2 years receiving multiple team and individual awards for performance of duty serving as one of the unit's engineers and being one of the unit's leading law enforcement personnel seizing multiple tons of illegal drugs being trafficked in the Caribbean bound for the US.
6. My final year of Active Duty was spent assigned to the USCG Tactical Law Enforcement Team Gulf where I was assigned as a Deployable Tactical Law Enforcement Officer serving in Central and South American waters interdicting narcotic trafficking shipments bound for the US.
7. I separated from Active Duty in NOV 1998 to pursue a career in law enforcement outside of the USCG but remained in the USCG Reserve. I worked for the Carter County Oklahoma Sheriff's Office then in MAR 2002 I was hired as a US Federal Air Marshal where I am currently employed.

8. While in the reserves I have been mobilized and placed back into Active Duty several times for Homeland Security Missions as well as for Natural and Man-Made Disasters such as Hurricanes Katrina, Rita, Wilma, Elizabeth, Harvey, Irma, and Maria; as well as the Deepwater Horizon Oil Spill and Operation Enduring Freedom to name a few.

9. After the events of 9/11 the USCG created the Maritime Enforcement Specialist Rate which I was selected to be an initial member of and lateralled from Chief Machinery Technician to Chief Maritime Enforcement Specialist.

10. I have been assigned primarily to USCG station Galveston for much of my reserve career with a five-year tour at USCG Sector Houston from OCT 2015 to OCT 2020. I am currently the Senior Enlisted Reserve Advisor at Station Galveston during my time in the USCG Reserve I have received many Team, Unit, and Personal Awards and citations, always receiving the highest of marks on my evaluations.

11. Since basic recruit training, I have now served honorably for over 27 years, and I will continue to do so God willing. Throughout my career, I deployed across the US and her territories and to some foreign locations and participated in numerous humanitarian assistance/disaster relief efforts and homeland security missions.

12. I submitted a Religious Accommodation (RA) request in response to the COVID shot mandate. After I submitted my RA, I received notification it had been denied. The denial contained many inaccurate statements which I thoroughly addressed in my appeal.

13. I was told there was a appeal process but the process detailed in the denial memo was different from the one originally explained to me, it had taken one level of the appeal process out.

14. I submitted an appeal that was also denied and informed there were no additional appeals left, but that I could file a civil rights case if I felt mine had been violated. I was told by my command that as soon as an FDA approved vaccine was available at Sector Houston Clinic that I would be ordered to take it regardless of any civil rights complaints I may file.

15. I was ordered by my command on or about July 6th to take the first shot within 10 days and that I could report to the medical clinic at sector on my upcoming drill weekend to take it or get it at any other location of my choice. I stated in my appeal that I did not want to take the vaccine and that being forced to so would put me in duress. However, I was ordered to do so regardless.

16. An email was sent out from USCG District 8 Chief of Staff stating anyone with a denied RA appeal that had not received the vaccination would NOT be eligible for advancement or promotion and that this email would serve as official policy in that regard.

17. I contracted COVID in JUL 2021 as confirmed by a test performed at my local hospital. I recovered from it and returned to work. I have since donated blood on several occasions each time having been tested for the presence of antibodies and each time antibodies have been detected.

18. I have cared for multiple family members that have contracted COVID since my infection and have yet to contract it a second time. While many of my fellow reservists at my unit have contracted COVID multiple times even after being fully vaccinated and boosted, requiring them to miss multiple drill weekends.

19. I have tried to explain to the sector commanding officer the difference between the licensed product, Comirnaty, and the EUA-only Pfizer product and was told that these

differences do not matter and that I need to follow these “lawful orders.” As the vaccine available is ‘FDA Approved’.

20. True and correct copies of the appeal denial and vaccination order, the first denial, and my appeal submission are attached hereto as Exhibit B-1.

21. I was told I would be facing removal from the advancement eligibility list and the inability to take positions such as silver or gold badge positions as well as separation from the Coast Guard.

22. As this is potentially my final opportunity to advance to Master Chief, and therefore provide for my family; under great duress, moral conflict, and now with great remorse I did take the first step in becoming compliant with this order against my religious and personal beliefs.

23. Up until this past month when the appeals processes were all denied at once, other personnel on advancement lists have promoted regardless of vaccination status.

24. The member on the advancement list just above me was removed, within my personal knowledge, for COVID refusal from the eligibility list and is being removed from her position as a silver badge.

25. My vaccination status did not prevent me from continuing to execute the mission of the US Coast Guard. During the pandemic, I was able fulfill all my service obligations and maintain my unit’s readiness and deployability.

26. My civilian job with DHS which the US Coast Guard also falls under has not forced me to take the vaccination, they have received my RA and have not issued any denials of it.

I declare under penalty of perjury, under the laws of the United States, that the foregoing statements are true and correct to the best of my knowledge.

Executed this July 21, 2022.

Michael Janson Bazzrea, Senior Chief Petty Officer, USCGR



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